

UNITED STATES DISTRICT COURT
DISTRICT OF NEVADA

1 Jessica Brown,

2 Plaintiff

3 v.

4 CCDC, et al.,

5 Defendants

6 Case No. 2:24-cv-00377-CDS-EJY

7 Order Denying as Moot Second
8 Application to Proceed in *Forma Pauperis*
9 and Dismissing Second Complaint

[ECF Nos. 5, 6]

10 Plaintiff Jessica Brown initiated this case with an application to proceed *in forma pauperis*
11 (“IFP”) and a civil-rights complaint under 42 U.S.C. § 1983. ECF Nos. 2, 2-1. Brown subsequently
12 filed a second IFP and a second civil-rights complaint with different claims and different
13 defendants. ECF Nos. 5, 6. It is not clear whether Brown intended to file these documents in this
14 case, or whether she intended to open a new case.

15 Brown can only pursue a single operative complaint in a case. If Brown needs to make a
16 change to her complaint, she can file an amended complaint, but she cannot pursue two separate
17 complaints in a single case. For Brown’s benefit, the court further notes that any amended
18 complaint must be complete in itself and must contain all claims, defendants, and factual
19 allegations that Brown wishes to pursue in a case.

20 The complaint filed at ECF No. 6 is marked original complaint and includes different
21 defendants and different claims than the initial complaint. It was also filed at the same time as a
22 second IFP. As such, it appears that Brown intended to open a second case rather than file these
23 documents in this case. Therefore, the court will deny the second IFP as moot, dismiss the second
24 complaint without prejudice, and direct the Clerk of the Court to open a new case and file the
25 second IFP application and complaint (ECF Nos. 5, 6) into that new case.

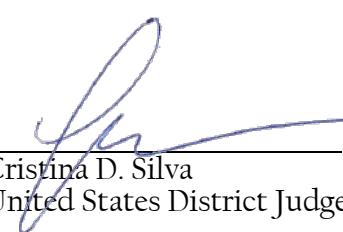
1 Conclusion
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3 Accordingly, IT IS HEREBY ORDERED that plaintiff's second IFP [ECF No. 5] is denied
4 as moot.
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6 IT IS FURTHER ORDERED that plaintiff's second complaint [ECF No. 6] is dismissed
7 without prejudice because it was incorrectly filed in this case.
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9 The Clerk of the Court is kindly directed to open a new case for plaintiff Jessica Brown
10 and to file the second IFP (ECF No. 5) into the new case with the second complaint (ECF No. 6)
11 attached.
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13 Dated: March 26, 2024
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16 Cristina D. Silva
17 United States District Judge
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